

AL SMITH DENIES HE WANTS SALOON BACK

Answers Challenge at Elmira and Attacks Senator Lowman.

PARTY PLANK QUOTED

Democratic Nominee Angry at What He Calls Unfair Tactics.

WANTS MILLER QUIZZED

He Asserts He Favors Referendum on Use of Light Wines and Beers.

Special Dispatch to THE NEW YORK HERALD.

ELMIRA, Oct. 25.—Declaring himself on the prohibition question for the first time in this campaign in reply to direct challenges printed as advertisements in a local evening newspaper for the last three days, Alfred E. Smith, Democratic nominee for Governor, at the Mozart Theater here to-night made a bitter attack upon State Senator Seymour Lowman, chairman of the Chemung County Republican Committee, which is understood to have paid for the half page full face "ads."

Mr. Smith challenged Senator Lowman to ask Gov. Miller where he stood on the question of modifying the Volstead act so as to permit light wines and beer, subject to a referendum. The speaker asserted that the Senator would be afraid to do it because of his subservience to the machine.

Answering the direct statement in the first advertisement that he wanted the saloons back, Smith said: "Any remark as that is so senseless that any man who knows me knows I entertain different ideas and that I have brains, ability and common sense enough to have a different idea from that."

Challenge to Smith.

The next advertisement was headed "Gov. Smith's Wet Platform." It quoted a section of the Democratic platform and ended with this in black type: "If you are wet, say so, just as Gov. Smith does." The half page advertisement in to-night's paper has simply this in black type: "Ex-Governor Smith, wet or dry, which? Please answer to-night."

Mr. Smith has held that prohibition is not a State issue and had not mentioned it as such. He was highly indignant at what he termed the unfair tactics of the local Republican organization, and decided to plunge into the subject. Hardly had the applause stopped when he announced that he would answer the advertisements.

"If there is anything that has contributed to my political success," Mr. Smith declared, "it is a reputation that I am proud of, and that is that I am afraid of nobody and no question."

"The local Republican machine is running this serially apparently. The first one is 'Gov. Smith wants the saloons back.' 'So do we!' boomed a voice, while the audience laughed. Mr. Smith continued: 'The advertisement below said that at a Democratic dinner at the Hotel Vanderbilt in New York city, April 24, 1922, to discuss ways and means of raising money, some said the party ought to not oppose the Volstead act. It went on: 'Al Smith arose, and among other things said, 'I don't believe the Democratic party should camouflage on this subject. The Democratic party is a saloon party, and everybody knows it is a saloon party and it ought to come out and say so.'"

"It is understood here, and Senator Lowman was quoted to-day as saying he had the statement came originally from the *Reformer Bulletin*, published by the New York Civic League."

Source of the Statement.

Referring to the source of the statement, Mr. Smith said: "Senator Lowman knows exactly where that came from—from a man who to my knowledge has had no visible means of support for fifteen years—a man I regard as a parasite—a man that lives by a certain form of 'unchallenged blackmail.'"

"There is a limit to pretty nearly everything," exclaimed Mr. Smith, "and I think I understand the heartbeats and the feelings and the conscience of the American people well enough to know that about everything else they stand for a square deal. That's all I ask. The Lord knows I have given it to every man and my two years as Governor. I particularly gave it to Senator Lowman."

Coming to the advertised challenge to say whether he was wet or dry, he said: "Yes, Senator. I will answer that to-night. The answer is: I stand fairly and squarely on the Democratic platform, which reads: 'and he then quoted the plank which calls for such modifications of the Volstead act as shall legalize light wines and beer subject to the approval of the people of New York State.'"

"Now let's see what that means, a referendum to the State. Is the Senator against that?"

He did not know how the Senator voted on the referendum on light wine and beer in the New York Legislature, but he certainly did not protest against it, the speaker said.

"Did he vote for the people and against the traction bill?" exclaimed Mr. Smith. "He did not." He voted against extending the power of the Traction Co. committee and other measures designated for the people.

"Let me ask the Senator a few questions. I haven't got enough money to have them printed in the papers, but thanks to the Lord I can talk them out. The first question is this: 'Is he personally interested in a State road contract?' He is, let him have in mind that is my expression of opinion that it is unethical. If not illegal, and if not illegal, it should be."

The candidate then answered the twelve things Gov. Miller said in Oyster on Saturday he had done for the farmer. Mr. Smith charged Gov. Miller with doing more for the corporations, headed by financiers able to assist a person in his political career than for agriculture.

Mr. Smith will speak in Rochester to-morrow night.

WORK MILLER HAS DONE IN PROTECTION OF LABOR

FOLLOWING are some of the improvements made by Gov. Miller in the workings of the State Industrial Commission and the workmen's compensation act:

Prompt payment secured in at least 70 per cent. of the claims without waiting for an award of the commission by interposing the employer between the injured workman and the insurance carrier, and requiring payment within twenty days if the claim is not contested.

A penalty of 10 per cent. imposed on the employer and insurance carrier for failure to pay an uncontested claim within twenty days and a penalty of 20 per cent. imposed on both for the failure to pay an award within ten days.

The defense that a risk insured by the insurance carrier is not within the terms of the act removed.

Compensation for loss of limb, sight or hearing extended.

Compensation for occupational disability extended.

Compensation allowed for death from disability occasioned by an accident, hitherto not allowed.

The harsh hearsay evidence rule changed to make it possible to establish a case by the death declarations of an injured workman, supported by circumstantial evidence.

Contractors required to make compensation for injuries to employees of sub-contractors.

MILLER CALLS HIS REGIME MORE HUMAN THAN SMITH'S

Governor Declares His Opponent's Policy Toward State's Unfortunates Was Merely Custodial While His Is Curative and Preventive.

Special Dispatch to THE NEW YORK HERALD.

JAMESTOWN, Oct. 25.—For the busy reader who wants to know whether Miller or Smith is the better man for the job of heavy governing that must be done in the next two years Gov. Miller's speech here to-night is illuminating.

Delivered before 4,600 persons in a one time car barn here, the speech appeared to make a definite impression. A defense of the governor's own humanity was the heart of it.

"There are two theories of applying the works of the Government to the unfortunates of human society—those who are unfortunate through no fault of their own. One is to put them away in State institutions and to give them kindly and comfortable care for as long as need be, and then to forget all about them."

"The other theory is to treat them with all kindness and consideration, and at the same time to seek ways of relieving their special misfortunes and of restoring them to society, to their families and friends, and most important of all, to find ways and means of checking the physical, moral or mental diseases which placed them in institutions. Apparently, the attitude of the previous administration was the former."

"My attitude is most definitely the latter, that of combining with good custodial care preventive and curative methods to make custodial care unnecessary. In general, I favor the treatment of the institutional problem by preventive and curative methods instead of solely one of custodial care."

"Mr. Smith has gone about the State riding upon the pink clouds of fancy. I have gone about the State with my feet solidly on the ground of fact."

"Here is what I have done for social welfare."

"Three million more contributed to the support of the common schools."

"Preventive measures to protect the public health, with a resultant decrease in the lowest in the history of the State."

"Training of blind and deaf children taken over by the State, in place of having them committed as county charges."

MARTY MCUE UPHOLDS EAST SIDE'S SMELLS

Fights Effort to End Good Old Abattoir Odors.

The committee on East Side nuisances and the Klips Bay Neighborhood Association were holding a joint meeting last night in Public School 59, West Fifty-seventh street, and unanimously deploring the unsavory odors that issue from the first avenue slaughter houses, when Marty McCue, Tammany leader, that district years before any Fifth Avenue smells moved over to Sutton place and Beekman place, upset the smoothly proceeding "whorl" and "resolved" therefore, "with a plea for the good old East Side smells."

"These slaughter houses have been here ever since the year before the last. Dr. Whitman talked about," said Mr. McCue. "Give 'em time. It isn't fair to our Health Commissioner. He's doing the best he can. He has three men on the job now trying to get legal evidence that they are a nuisance. We don't want these millionaire packers to make a fool out of our Health Commissioner. Let the trustees of Dr. Whitman's hospital select another site."

Dr. Armitage Whitman, of the Hospital for Ruptured and Crippled, had explained that when the patients in that institution went on the roof for fresh air and exercise they were covered with soot and annoying bad odors.

Mrs. James Lees Laidlaw said she didn't understand why "her political friend," meaning Mr. McCue, spoke the way he did. She is going to vote for Health Commissioner Cooper, too, she said, but she didn't see why the objectionable smells should not be stopped. There is no intention of closing the plant, she declared.

J. Thompson presided at the meeting. Many members of the fashionable Beekman and Sutton place colonies were present.

CITIZENS UNION ISSUES LIST OF SENATE CHOICES

Approves Thirteen Republican and Eight Democrats.

The Citizens Union made public yesterday its endorsement of candidates for the State Senate. The candidates endorsed and their districts are:

Second, John L. Karle (Rep.); Third, David Willis (Rep.); Fourth, Mark Peckham (Rep.); Fifth, Geo. H. Fox (Rep.); Sixth, William Thorne Simpson (Rep.); Seventh, James H. Caulfield, Jr. (Rep.); Eighth, Alvah W. Burlingame, Jr. (Rep.); Ninth, Charles H. Russell (Rep.); Tenth, Marc H. Fox (Rep.); Eleventh, Abraham L. Katlin (Rep.); Twelfth, James J. Walker (Rep.); Thirteenth, William S. Reynolds (Rep.); Fourteenth, Bernard J. Downing (Rep.); Fifteenth, John H. Sullivan (Rep.); Sixteenth, Thomas J. Sheridan (Rep.); Seventeenth, Schuyler M. Meyer (Rep.); Eighteenth, Salvatore A. Cotillo (Rep.); Nineteenth, William Dugan (Rep.); Twentieth, Ward W. Tolbert (Rep.); Twenty-first, Henry G. Schackno (Rep.); Twenty-second, Peter A. Abela (Rep.); and Benjamin Antin (Rep.).

INTERMYER INDORSES STRAUS FOR SENATE

Says Such Men Are Needed as Laumachers in Albany.

Strong indorsement for State Senator Nathan Straus, Jr., as the kind of man most needed in the Legislature was recorded yesterday by Samuel Untermyer, who wrote to the senator in appreciation of his support given the Lockwood committee's programme last session. In that letter Mr. Untermyer wrote Senator Straus was "genuinely helpful," and added:

"When I spoke to you last year in Albany at the session of the Legislature you greatly disappointed me by saying that you would probably be unwilling to accept a renomination for the Senate. I then urged you not to withdraw from public life, and am greatly pleased at your decision. Men of your stamp are greatly needed in the Senate. Unfortunately there was only a handful of them this year. I hope there will be more next year and that you will be among them."

"As a lifelong friend and admirer of your dear father, whose life has been devoted to the cause of humanity, I have watched your public career with interest and satisfaction. Whenever one cast about during the last session to find the men who were on the side of the public and those who were in the service of the predatory corporations and big business in the legislation that was under consideration there was no trouble in knowing where you stood. Your sympathies and your vote were always found on the side of the people."

"If there is anything I can do to promote your candidacy you must not hesitate to command me. Your defeat would be a distinct public loss to the cause of good government."

Mr. Straus is the Democratic nominee in the Fifteenth district.

Five thousand Republican women are helping in the campaign to elect Gov. Miller and the State ticket, according to Miss Helen Varick Boswell, associate county chairman.

"The women Assembly district leaders report to my office each day so that at headquarters we know daily what is going on in every block in the city," she said yesterday. "New York county has a complete organization of men and women. In some of the districts separate organizations of men and women are preferred. In others the two organizations have combined. An associate Assembly district leader analyzing the registration figures feel that in many districts there are more women registered than men."

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TO REELECT GOVERNOR

1,000 POLL CARDS TO FIGHT TAMMANY

Deputy Attorney-General Convinced of Vote Manipulation Scheme.

FINDS FRAUD DATA

Gilbert Promises to Prosecute All Violators of Election Laws.

INSPECTORS SUMMONED

Ten Voters Indignantly Deny Asking for Help in Marking Ballots.

Special Dispatch to THE NEW YORK HERALD.

Convinced by his investigations yesterday that Tammany is working a new trick in the manipulation of votes, A. S. Gilbert, deputy in charge of the Attorney-General's Election Bureau, began to organize a force of 1,000 watchers for the polls. There is evidence to indicate that frauds are being practiced on a big scale, involving thousands of votes.

After he had questioned several election inspectors and obtained information that they had violated the law, Mr. Gilbert said:

"I have not yet decided whether I will go through with criminal prosecutions against the inspectors who were before me to-day. I have warned them and told them that my action now depends on their conduct on election day. I would rather have the warning observed than go through wholesale prosecutions."

Examines Registration Books.

"But I want the election officials to understand clearly that the Attorney-General's office will prosecute to the limit every violation of the law on election day. All the large cities in the State have voting machines excepting New York. This will enable us to assign nearly all of the 1,000 watchers to the polls in this city. I shall also appoint special deputies in Queens, The Bronx and Richmond in connection with the election."

In response to subpoenas the registration books of the Second Election district of the Fourth Assembly district were turned over to Mr. Gilbert yesterday. The inspectors of the district and ten voters who had registered were subpoenaed. In each instance the voters were recorded as having declared they needed assistance to mark their ballots. There were no oaths accompanying the declaration, as required by law. The voters denied indignantly they had called for assistance.

Marcellus Hawkins, a negro, of 113 East 100th street, was arrested yesterday by Detective Emil Kochman while walking in 101st street with a registration book under his arm. The book had been taken from the election booth of the Tenth district of the Eighteenth Assembly district. Hawkins explained, it was said, he was talking the book home to copy the names off for "the captain."

He was held in \$500 bail by Magistrate Hattin in Harlem Court.

The inspectors examined by Mr. Gilbert are Max Gottlieb, Theodore Goodman and Beatrice Bernstein. More than seventy persons, nearly all of them women, were summoned to the Attorney-General's office. The State officials have gone into several districts. In each the same condition was found.

Gottlieb admitted he was not familiar with the law and said he had been the law in his district for years to permit men and women who said they were married to go into booths together. One woman who professed to having "shivers" when she voted was marked down for assistance.

The districts in which the investigation will be carried on for the present are the First, Second, Fourth, Fifth, Eighth and Twelfth. These showed Democratic increases in the registration. These frauds were found last year.

\$100,000 for Inquiry.

"After examining ten or more persons from a district I was convinced it would be a waste of time to question all who were summoned," Mr. Gilbert said. "We shall examine the registration books in every district before election day and check up on the names. We will then be able to check back on the names on election day."

Sections 148 and 167 of the new election law provide that when an application for registration says by reason of physical disability or defective sight he needs assistance in making a ballot an oath must be administered to that effect and then assistance be assigned. In nearly every instance the officials have found that the recorded request was not made, the voter did not ask for assistance and there was no oath taken. In nearly every instance those so recorded are women in the Democratic districts.

If the books had gone unchallenged a professional ballot marker could have been assigned to the booths with the persons needing assistance.

St. John Block, State Chairman of the Socialist party, and Samuel Dickstein, Democratic nominee for Congress in the Twelfth district, were present at the hearing and offered their assistance.

The State has appropriated \$100,000 to cover the expenses of the Election Bureau. Mr. Gilbert said he believed he would be able to carry out the work for \$70,000 or less. If necessary to get more watchers to insure an honest election, the entire fund will be used.

Grover M. Moskowitz, Deputy Attorney-General, began the fraudulent registration inquiry in Brooklyn yesterday. Senator Abraham I. Katlin made formal complaint that gunman and guerrillas were being used in the old Williamsburg section of that borough.

Marko Manella of 17 Atlantic avenue was arrested in Brooklyn, charged with false registration. He was arraigned before County Judge Martin. He waived examination. Four members of the election board in the Twenty-fourth election district of the Eleventh Assembly District said the man's vote had been challenged when he registered on the ground that he was an ex-convict. The election officials said they questioned Manella, and upon his statement that the charge was not true, he was allowed to register. It was said to the court that he served a term last year in the Kings County Jail.

Large Bets Run Close on Governorship Race

NUMEROUS wagers in large and small amounts were placed yesterday at odds of 11 to 10 and even money on the outcome of the gubernatorial contest. W. L. Darnell & Co. announced that they had \$25,000 to bet at odds of 5 to 6 that Al Smith would win over his Republican opponent.

G. B. de Chadenes & Co. were offering \$55,000 against \$50,000 on Gov. Miller and \$20,000 against \$24,000 on former Governor Smith. The same firm had \$5,000 to place against \$6,000 that Gov. Edwards of New Jersey would defeat Senator Frelinghuysen for United States Senator.

WEEKS CALLS MELLON GREAT TREASURY HEAD

Discusses American Credit and Finance in Europe.

BROOKLINE, Mass., Oct. 25.—Andrew W. Mellon will go down in history as one of the greatest Secretaries of the Treasury. Secretary of War John W. Weeks said in an address here to-night.

"It should be a matter of pride to all Americans of whatever political faith that the credit of the United States has been reestablished," Mr. Weeks added. "The fact that Government bonds sold 10 to 15 per cent. below par in 1920, Secretary Weeks attributed to 'lack of confidence and uncertainty in the minds of our citizens as to the foreign policy of the Democratic party, especially if it were to be continued in power,' said Mr. Weeks."

"It is certainly the height of folly," said Mr. Weeks, "for us to give financial assistance to Europe without an assurance that Europe will reduce its expenditures as we have done and reduce its fighting machines to a point where the cost will not be an unbearable burden on its own people." Secretary Weeks spoke in the interests of Senator Lodge.

HYLAN MAKES CAMPAIGN SPEECH FOR CARSWELL

Denounces Present Justices of the Supreme Court.

Mayor Hyman spoke last night at the Commerce Club in Greenpoint on behalf of the candidacy of William E. Carswell, Democratic nominee for Justice of the Supreme Court in the Second District.

The Mayor criticized the present Justices, declaring that "we have had eight and a half years with them. He said that five of the Justices sitting in the Second District have favored the applicants for injunctions against the business in Brooklyn and Queens, and urged this as a reason for electing Carswell."

'AL'S' OLD NEIGHBORS FROLIC WITHOUT HIM

Politicians Attend Party Near Candidate's Birthplace.

The folks who have called Alfred E. Smith "Al" all their lives, and their little folks who are just beginning to find out who "Al" is, had a party last night in front of the Marine Democratic Club in Roosevelt. Only a few doors from the house in 174 South street where the Democratic candidate for Governor was born.

Fires and banners were strung across the street and Japanese lanterns helped the city lighting system. A band played tunes that "Al" Smith whistled and sang when he was a boy on the East Side and everybody had a good time. The only thing missing was "Al" Smith himself, but he could not be there because he was up-State hunting votes. Many other candidates and political leaders were present.

H. H. KOHLSAAT, RETIRED PUBLISHER, RECOVERING

Had Slight Paralysis Stroke at Biltmore Recently.

H. H. Kohlsaatt, retired publisher, is recovering from a slight stroke of paralysis in his apartment at the Hotel Biltmore. It was learned yesterday. He was stricken five weeks ago and is now on the road to recovery. It was said by Dr. J. Prescott Grand of 65 West Forty-fifth street and Dr. Coleman Cutter of 24 East Forty-eighth street are attending him.

FIRST VOTERS TO HAVE TEA.

Women's Democratic League Will Welcome Recruits.

The Women's Democratic League will give a tea for first voters Sunday from 3 to 7 P. M. at the Hotel Vanderbilt. Several candidates will be present for inspection by the young men and young women who have just reached voting age.

Mrs. Virginia Pierson is president of the league and the chairman for the day is Miss George Lath. On the reception committee are Miss Annie Mathews, County Register; Mrs. John Elms Quinn, Mrs. Ella O'Gorman Stanton, Abby Shea Hughes, Mrs. John Gilchrist, Mrs. John Elms Quinn, Mrs. Ella Levens Hitt, Mrs. Ella Sullivan and Mrs. John S. O'Leary.

Navy Day (October 27)

Raise high the flag and let it wave

A message on the breeze, To East and West, to North and South—

To all the Seven Seas, A cheering message to the lads

Who, strangers to dismay, So ably man, in peace and war.

The Floating U. S. A.

The anniversary of the birth of Theodore Roosevelt has been fittingly chosen as Navy Day. Destroyers have been ordered North, South, East and West. And the nation which bowed its head as one, when "Roosevelt is dead," was flashed over the wires, will join the Navy—in paying tribute to the Great Heart in which our Navy held so dear a place.

Knickerbocker ICE Company

ROOSEVELT'S SISTER FINDS MILLER 'BEST'

Mrs. Robinson Says Administration Is Greater Than Her Brother's.

Mrs. Corinne Roosevelt Robinson, sister of the late Col. Theodore Roosevelt, said yesterday that Gov. Miller has given the State a better administration than her brother. Mrs. Robinson returned from a visit to various districts where she observed conditions and studied the political situation.

"The voters of this State are standing behind Gov. Miller with their heads as well as their hearts," she declared. Gov. Nathan P. Miller has given for two years the best administration the Empire State has ever had, and this I say with memory undimmed to what Theodore Roosevelt and Grover Cleveland did as Governors of New York State.

"Gov. Miller has shown in his administration the legal equipment of Grover Cleveland and the dauntless courage of Theodore Roosevelt in facing the grave problems connected with his difficult position. His record is astounding, for two years is a short time in which to accomplish vast strides in the economy and efficiency of government and the actual achievement in the welfare of the people has so long hung fire."

"With extraordinary industry, as well as ability, Gov. Miller has gone over his great dominion, searching into the best methods for prison reform, working out the difficult problems of port authority and water power, and giving scrupulous attention to the questions of maternity welfare and children's courts and all other important questions brought before the last Legislature, many of which have been made into long needed laws."

"Staunchly upholding the forces of law and order, at the risk of his popularity with some of those misled by evil propaganda, Gov. Miller has always put himself squarely on the side of what the Stars and Stripes stand for—namely, liberty within the law."

"Let the people of the State search the record of the two administrations and their answer to the question of which administration has been most beneficial to the commonwealth can but be an overwhelming majority of votes for Nathan L. Miller on Election Day."

FIGURES SHOW MILLER MADE MORE RATE CUTS

Prendergast Reveals Facts of Car, Gas and Phone Prices.

The Democrats have been shouting through the State that the Miller administration is to blame for higher street car, gas, electric and telephone rates. Yesterday William A. Prendergast, chairman of the Public Service Commission, proved by the records of the commission that the charge is false.

He proved that the commission appointed by Gov. Miller has been steadily lowering the prices paid by the people for public utilities, and that it was its predecessor, the commission appointed by Gov. Smith, which steadily raised them.

Mr. Prendergast compares the period between April 21, 1920, and April 25, 1921, in which the Democrats had a minority in the Public Service Commission with the Republican controlled period since then. His figures indicate:

Street car fares—Smith commission yielded 21 increases and 4 decreases. Miller commission ordered 6 increases and 3 decreases.

Gas rates—Smith, 66 increases and 23 decreases; Miller, 46 increases and 115 decreases.

Electricity rates—Smith, 18 increases and 2 decreases; Miller, 9 increases and 17 decreases.

Telephone rates—Smith, 29 per cent. increase in New York city; Miller, 10 per cent. cut in the city, with additional orders pending.

Budgetary transfer—Smith, increase from \$1 to \$1.25 per piece; Miller, reduced to \$1 maximum, with sliding scale to 75 cents.

Summary—Smith, 117 increases and 29 decreases; Miller, 61 increases and 137 decreases.

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We take all the risk—your money back if you're not satisfied—They're guaranteed.

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Cigars—Colorado Cigars—Colorado

See American Cigars Co.

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DISTINCTIVE CRAVATS of most Luxurious and Unusual French Silks, so much in demand by men who prefer the Exception in Quality, are abundant with us. Price up to \$6.00.

Shirts To Measure, \$7.00 upward.